IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.10247 OF 2004

Akram Khairulla Khan).. Petitioner

Versus

Pune Municipal Corporation through its Commissioner and another).. Respondents

Mrs.Varsha Palav for the Petitioner.

Mr.R.S.Khadapkar for Mr.R.G.Ketkar for Respondent No.1.

Ms.P.S.Cardozo, A.G.P., for Respondent No.2.

CORAM: H.L. GOKHALE AND S.P. KUKDAY, JJ.

DATED: 16TH JUNE 2005

P.C.:

. Heard Mrs.Varsha Palav in support of the Writ Petition. Mr.Khadapkar appears with Mr.Ketkar for Respondent No.1. Ms.Cardozo, A.G.P., for Respondent No.2.

2. The grievance of the Petitioner, who represents some others situated similar to him and whose names are given in Exhibit "A" to the Petition, is that their commercial structures have been removed for road widening and are not being given alternative accommodation. The reply of the Pune Municipal Corporation is that none of them are eligible (except two). It is only those who are

in residential premises or those who are having joint user of residential-cum-commercial who are eligible. In any case, to afford an opportunity, the persons concerned may represent to the City Engineer who is the competent officer in this behalf. He will look into the documents tendered by the Petitioners, hear them and take necessary decision.

3. Petition disposed of.

(H.L. GOKHALE, J.)

(S.P. KUKDAY, J.)